

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

UDK SOLUTIONS, INC., et al., Plaintiffs, vs. DISASTER CLEAN UP SERVICE, LLC., et al., Defendants.	MEMORANDUM DECISION AND ORDER ON PENDING MOTIONS Case No. 2:06-CV-192 TS
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This matter is before the Court on pending motions. By separate Order, the Court has ruled on the summary judgment motions, denying summary judgment on Plaintiffs' common law infringement claim. In ruling on the summary judgment motions, the Court considered Plaintiffs' Sur-reply and found material issues of fact regardless of the two disputed affidavits. Thus, the Motions to Strike those affidavits are moot. However, the Motions for Attorneys Fees¹ relating to the Motions to Strike remain pending and will be briefed in accordance with the local rules of practice. It is therefore

¹Docket Nos. 95 and 98.

ORDERED that Plaintiffs' Motion for Leave to File Sur-Reply (Docket No. 37) is GRANTED. It is further

ORDERED that Defendants' Motion to Strike Memorandum in Support of Motion for Leave to File Sur-Reply (Docket No. 35) is DENIED. It is further

ORDERED that Defendants' Rule 56(f) Motion (Docket No. 87) is DENIED AS MOOT. It is further


ORDERED that Plaintiffs' Motion to Strike Slatter Affidavit (Docket No. 94) is DENIED AS MOOT. It is further

ORDERED that Plaintiffs' Motion to Strike Seeley Affidavit (Docket No. 97) is DENIED AS MOOT. It is further

ORDERED that Defendants' Ex Parte Motion to Continue Hearing on Cross Motions for Summary Judgment (Docket No. 104) is DENIED AS MOOT.

DATED May 2, 2007.

BY THE COURT:



TED STEWART
United States District Judge